IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

WEDNESDAY, THE 1ST AUGUST 2007 / 10TH SRAVANA 1929

WP(C).No. 23519 of 2007(Y)

PETITIONER:

MACKIMALA TEA ESTATES (P) LTD.,
CHERAKKARA P.O., MANANTHAVADY, NORTH WAYANAD,
REPRESENTED BY ITS MANAGING DIRECTOR,
K.I.SHERIFF

BY ADV. SRI.K.P.DANDAPANI (SR.)
SRI.U.BALAGANGADHARAN

RESPONDENTS:

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1. STATE OF KERALA, REPRESENTED BY THE
SECRETARY, DEPARTMENT OF REVENUE,
GOVERNMENT SECRETARIAT, TRIVANDRUM - 695 001.

2. THE TAHSILDAR, MANANTHAWADY TALUK,
NORTH WAYANAD.

3. THE COMMERCIAL TAX OFFICER,
MANANTHAWADY, NORTH WAYANAD.

BY G.P. SRI. C.K. GOVINDAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 01/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

C.N.RAMACHANDRAN NAIR, J.

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W.P.(C) No.23519 of 2007

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Dated this the 1st day of August, 2007.

JUDGMENT

Since the prayer is only for instalment facility for clearing arrears of tax due under Ext.P7 which is for the years 2001-2002 to 2004-2005, W.P. is disposed of granting twelve equal monthly instalments to the petitioner to clear the arrears with interest at the statutory rate, first of which will be paid on or before 20th August and the balance on or before the 20th of succeeding months. Recovery proceedings including sale will be withheld for payment as above and if petitioner commits default in payment of any instalment, the instalment facility will stand cancelled and respondents can proceed for sale of the property in recovery proceedings.

C.N.RAMACHANDRAN NAIR
Judge

pms